



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/897,953	07/24/97	KIRA	H 950107A

MM21/0706
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EXAMINER
GRAYBILL, D

ART UNIT	PAPER NUMBER
2814	

DATE MAILED: 07/06/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/897,953

Applicant(s)
Kira et al.

Examiner
David E. Graybill

Group Art Unit
2814



☒ Responsive to communication(s) filed on 16 Apr 1998

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 3-6 and 8-17 is/are pending in the application.

Of the above, claim(s) 9 and 10 is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 3-6, 8, and 11-17 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 1107

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claim 1, limitations, "heating . . . and, concurrently aligning," and, "wherein the second pressure . . . chips." No new matter should be entered.

Claims 11-17 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not originally described in the specification in such a way as to reasonably convey to one skilled in the relevant art that applicant, at the time the application was filed, had possession of the claimed invention. Specifically, in claims 11 and 15 the limitations, "a bonding head not having heating means," and in claim 15, the limitation, "heating . . . and, **concurrently** [emphasis added], aligning" was not originally sufficiently described. To further clarify, any negative limitation or exclusionary proviso must have basis in the original disclosure. See *Ex parte Grasselli*, 231 USPQ 393 (Bd. App. 1983) *aff'd mem.*, 738 F.2d 453 (Fed. Cir. 1984). The mere absence of a positive recitation is not basis for an exclusion.

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 is incomplete because it depends on canceled claim 1.

Claims 11 and 15 appear that they would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112 set forth in this office action.

Art Unit: 1107

Claims 4-6, 8, 12-14, 16 and 17 are objected to as being dependent upon a rejected base claim, but appear that they would be allowable if rewritten in independent form including any intervening claims and all of the limitations of the base claims as rewritten or amended as directed supra.

Any change in the scope of the rewritten or amended claims may necessitate the withdrawal of the indication of apparent provisional allowability.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any telephone inquiry of a general nature or relating to the status (MPEP 203.08) of this application or proceeding should be directed to the group receptionist at (703) 308-1778.

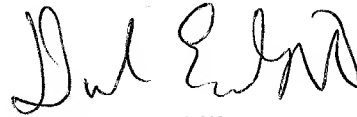
Any telephone inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Graybill at (703) 308-2947. Regular office hours: Monday through Friday, 8:30 a.m. to 6:00 p.m..

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The fax phone numbers for group 2800 are (703)308-7721 and 308-2864.

A handwritten signature in black ink, appearing to read "David E. Graybill". The signature is fluid and cursive, with the first name "David" and last name "Graybill" clearly distinguishable.

David E. Graybill
Primary Examiner
Art Unit 2814

D.G.